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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ALBERT DYTCH,

Plaintiff,

vs.

THE GUZMAN CORPORATION dba LA
PINATA #1, et al.,

Defendants.

No. 3:16-cv-05624-HSG

**STIPULATION TO CONTINUE LAST
DATE TO MEET AND CONFER UNDER
GENERAL ORDER 56 AND RELATED
DATE; ORDER**

WHEREAS, on October 4, 2016, the Court issued a Scheduling Order for Cases Asserting Denial of Right of Access under the Americans with Disabilities Act (Dkt. 5) (“the Scheduling Order”);

WHEREAS, the joint site inspection required pursuant to General Order 56 and the Scheduling Order took place on December 19, 2016;

WHEREAS, the Scheduling Order requires that the parties, and their counsel, meet and confer in person no later than 28 days after the joint site inspection, here, January 16, 2017;

WHEREAS, it is Plaintiff’s position that the December 19, 2016 joint site inspection did not meet the in-person meet and confer requirement of General Order 56 as Plaintiff himself was not present. Plaintiff has now provided Defendants a list of all conditions he

STIPULATION TO CONTINUE LAST DATE TO MEET AND CONFER UNDER GENERAL ORDER 56
AND RELATED DATE; ~~PROPOSED~~ ORDER

1 asserts are non-compliant at the subject property and for which he seeks injunctive relief, as
2 well as his proposed non-monetary terms of settlement. The parties are working together to
3 resolve any questions or disputes and, once the injunctive relief has been tentatively agreed
4 upon, Plaintiff will promptly provide his monetary demand as required by General Order 56.

5 WHEREAS, defense counsel asserts that the meet and confer obligation was met as her
6 clients and CASP consultant attended and met with Plaintiffs' counsel and CASP consultant.
7 Defendants do not agree that a second in person meet and confer is necessary. Defense counsel
8 asserts that since the consultants and parties are currently negotiating the resolution of the
9 repair items to obviate the need for an action; it is unnecessary to hold a second meet and
10 confer especially here where Plaintiff's counsel is not prepared to provide defendants with a
11 monetary demand.

12 WHEREAS, the parties have agreed that the meet and confer may take place on
13 February 28, 2017 at 11:00 a.m. or a stipulated date agreed upon by the parties on or before
14 March 17, 2017 in the event the meet and confer cannot take place as currently scheduled (to
15 avoid the filing of repeated stipulations which wastes the parties' resource, and more
16 importantly, the court's time);

17 NOW, THEREFORE, it is hereby stipulated by and between Plaintiff, Albert Dytch,
18 and Defendants, The Guzman Corporation dba La Pinata #1 and Alicia Guzman, Trustee of the
19 Francisco Javier and Alicia Guzman Revocable Living Trust, dated August 5, 2004, through
20 their respective counsel, that the meet and confer required under General Order 56 and this
21 Court's Scheduling Order take place on February 28, 2017 at 11:00 a.m., or a stipulated date
22 agreed upon the parties on or before March 17, 2017.

23 IT IS FURTHER STIPULATED that if a settlement of the matter is not reached at the
24 meet and confer, that Plaintiff shall file a Notice of Need for Mediation within 14 days of the
25 meet and confer.

26 IT IS SO STIPULATED.
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AND RELATED DATE; ~~PROPOSED~~ ORDER

1 Dated: January 17, 2017

MISSION LAW FIRM, A.P.C.

2
3 /s/ Tanya E. Moore

4 Tanya E. Moore
5 Attorneys for Plaintiff,
6 Albert Dytch

7 Dated: January 17, 2017

GHANTOUS LAW CORPORATION

8 /s/ Karyne T. Ghantous

9 Karyne T. Ghantous
10 Attorneys for Defendants,
11 The Guzman Corporation dba La Pinata #1 and
12 Alicia Guzman, Trustee of the Francisco Javier and
13 Alicia Guzman Revocable Living Trust, dated
14 August 5, 2004

15 **ATTESTATION**

16 Concurrence in the filing of this document has been obtained from each of the individual(s)
17 whose electronic signature is attributed above.

18 /s/ Tanya E. Moore

19 Tanya E. Moore
20 Attorneys for Plaintiff
21 Albert Dytch
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ORDER

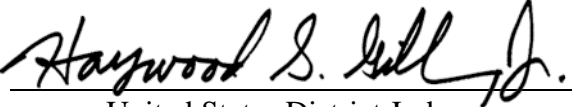
The parties having so stipulated and good cause appearing,

IT IS HEREBY ORDERED that the in person meet and confer required by this Court's Scheduling Order and General Order 56 shall take place no later than March 17, 2017.

IT IS FURTHER ORDERED that if the parties are unable to reach a settlement of this matter at the in person meet and confer, Plaintiff shall file a Notice of Need for Mediation within 14 days of the meet and confer.

IT IS SO ORDERED.

Dated: January 18, 2017


United States District Judge

STIPULATION TO CONTINUE LAST DATE TO MEET AND CONFER UNDER GENERAL ORDER 56
AND RELATED DATE; ~~PROPOSED~~ ORDER